

REMARKS

Claims 1-3, 5-13 and 15-26 were pending. All were rejected. The applicants have repeated the claims above, but have not made any new amendments. The applicants request further examination and reconsideration in view of the remarks set forth below.

Interview Summary:

A telephonic interview between the undersigned and Examiner Vu took place on September 20, 2005. The following is a summary of the interview:

First discussed were differences between independent claims 1 and 11. Examiner Vu pointed out that claim 11 recites a design tool, whereas, claim 1 does not. Examiner Vu questioned whether claim 1 should also recite a design tool. The undersigned explained that claim 1 is a method claim which is patentable because the prior art does not disclose limitations already recited by claim 1. The undersigned also explained that claim 11 is patentable not solely because of the presence of the design tool, but because of its other limitations. Examiner Vu indicated his agreement that claim 1 did not need to be amended to recite the design tool.

Next discussed was the rejection in view of Miller and Colton. The undersigned explained that the rejection in view of Miller and Colton (in the office action mailed on February 22, 2005, and again in the final rejection) purports to show limitations of claim 1 as being disclosed by Colton and/or Miller. However, these limitations are instead limitations of claim 1 of the parent application (Application Ser. No. 09/707,227), which is not the same as claim 1 of the present application. The undersigned further explained that claims 1-41 were rejected, but that fewer claims are currently present in the application (claims 1-3, 5-13 and 15-26). Examiner Vu indicated that the rejection in view of Miller and Colton was due to a document scanning error and agreed to remove the rejection.

Next discussed were the rejections in view of Barker and Tse. The undersigned explained that claim 1 and claim 11 both require partitioning ports associated with each node into a first set of ports and a second of ports. While Barker uses the term “partitioning,” Barker uses the term to mean something different; namely, dividing data units incoming into the switch of Barker into smaller data units. Examiner Vu indicated his agreement that the claims are allowable over Barker and Tse in view of this distinction.

Next discussed was the rejection in view of Barker and Colton. Examiner Vu indicated that because the claims are allowable over Barker, they are also allowable over Barker combined with Colton.

Next, the information disclosure statement submitted by the applicants on June 22, 2005, was discussed. The undersigned explained that from the final rejection, it did not appear that the information disclosure statement had been considered.

Examiner Vu indicated that he had received a copy of the information disclosure statement, including 7 pages of form SB/08, and that he would consider it and attach it to a next office action.

Finally, it was agreed that the undersigned would submit a written response to the final rejection, including an interview summary, and that Examiner Vu would act on the written response pursuant to his agreement regarding the points discussed above. The undersigned then thanked Examiner Vu for his time and the interview was concluded.

Conclusion:

In view of the above, the applicants submit that all of the pending claims are now allowable. Allowance at an early date would be greatly appreciated. Should any outstanding issues remain, the Examiner is encouraged to contact the undersigned at (408) 293-9000 so that any such issues can be expeditiously resolved.

Respectfully Submitted,

Dated: Sept. 22, 2005



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